

MEMO ENDORSED.**ROMERO**
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March 16, 2025

VIA ECF

Hon. Ona T. Wang
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hector De Jesus Cruz Reyes v. La Casa Del Mofongo 207 LLC, et al.*
Docket No.: 22-cv-07956 (PAE) (OTW)

Dear Judge Wang:

This firm represents Plaintiff Hector De Jesus Cruz Reyes and ten opt-in Plaintiffs (collectively as “Plaintiffs”) against Defendants La Casa Del Mofongo 207 LLC and Avi Dishy in this matter, which alleges claims under the Fair Labor Standards Act and New York Labor Law (“NYLL”). Your Honor set a deadline for Plaintiffs to file a motion for leave to file an amended complaint for March 18, 2025. Plaintiffs write, with Defendants’ consent, to request an extension of their deadline file a motion for leave to file an amended complaint.

Specifically, the named Plaintiff intends to amend his pleading to add the ten opt-in Plaintiffs as named Plaintiffs and add an additional claim under the NYLL. Plaintiffs’ counsel is currently in the process of gathering information from the named Plaintiff and ten opt-in Plaintiffs necessary to prepare an accurate amended complaint, as well as to respond to Defendants’ discovery requests. Plaintiffs’ counsel has gathered the necessary information from most of the Plaintiffs, but still must meet with a number of the remaining Plaintiffs’ to gather this information and prepare the necessary proposed amended complaint.¹ Plaintiff requires additional time to speak with these remaining opt-in Plaintiffs, and then to provide a proposed amended complaint to Defendants to determine whether they will consent to filing of this amended complaint without the need for a formal motion.²

¹ Plaintiff’s counsel is also currently traveling until March 18, 2025 and will be returning to the office on March 19, 2025.

² Defendants have expressed a willingness to consider consenting to this proposed amended complaint and, therefore, providing Defendants with the opportunity to consider consenting to the proposed amended complaint is likely to conserve the resources of the parties and the Court by avoiding unnecessary motion practice.

Accordingly, Plaintiffs write, with Defendants' consent, to request a thirty-day extension of time until April 17, 2025 to submit their motion for leave to file an amended complaint. This is Plaintiffs' first request for an extension of this deadline.

Plaintiffs thank the Court for its kind consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record

Application **GRANTED**.

SO ORDERED.



Ona T. Wang
U.S.M.J. 3/20/2025